

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE BILL 759

By: Sykes

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5  
6 AS INTRODUCED

7 An Act relating to student transfers; creating the  
8 Deployed Parents School Act of 2013; providing short  
9 title; amending 70 O.S. 2011, Section 8-103.1, which  
10 relates to the transfer of students not residing in a  
11 district; directing school districts to adopt a  
12 policy regarding the children of military and  
13 military reserve members; providing for  
14 noncodification; and providing an effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. NEW LAW A new section of law not to be  
17 codified in the Oklahoma Statutes reads as follows:

18 This act shall be known and may be cited as the "Deployed  
19 Parents School Act of 2013."

20 SECTION 2. AMENDATORY 70 O.S. 2011, Section 8-103.1, is  
21 amended to read as follows:

22 Section 8-103.1. A. A local school district board of education  
23 which receives a request for a transfer for a student who does not  
24 reside in the school district may refuse the transfer in accordance  
with the provisions of the open transfer policy adopted by the local  
school district board of education and subject to the provisions of

1 subsection B of this section. Each local board of education shall  
2 adopt an open transfer policy for the school district which  
3 specifies its criteria and standards for approval of transfers of  
4 students who do not reside in the district. The policy shall  
5 include, but shall not be limited to, provisions relating to the  
6 availability of programs, staff, or space as criteria for approval  
7 or denial of transfers. A school district may include in the policy  
8 as the basis for denial of a transfer, the reasons outlined in  
9 Section 24-101.3 of ~~Title 70 of the Oklahoma Statutes~~ this title.

10 In considering requests for students to transfer into a school  
11 district, the board of education shall consider the requests on a  
12 first-come, first-serve basis. A school district shall not accept  
13 or deny a transfer based on ethnicity, national origin, gender,  
14 income level, disabling condition, proficiency in the English  
15 language, measure of achievement, aptitude, or athletic ability.

16 Notwithstanding the provisions of the Education Open Transfer  
17 Act, transfers of children with disabilities shall be granted as  
18 authorized in Section 13-103 of ~~Title 70 of the Oklahoma Statutes~~  
19 this title.

20 B. A local school district board of education shall adopt a  
21 policy for the school district regarding the transfer of students  
22 who are the dependent children of a member of the active uniformed  
23 military services of the United States on full-time active duty  
24 status and for whom Oklahoma is the home of record and students who

1 are the dependent children of a member of the military reserve on  
2 active duty orders and for whom Oklahoma is the home of record. The  
3 policy shall provide for the approval of the transfer if:

4 1. At least one parent of the student has a Department of  
5 Defense-issued identification card;

6 2. At least one parent can provide evidence that he or she will  
7 be on active duty status or active duty orders, meaning the parent  
8 will be temporarily transferred in compliance with official orders  
9 to another location in support of combat, contingency operation or a  
10 natural disaster requiring the use of orders for more than thirty  
11 (30) consecutive days; and

12 3. A relative of the student lives in the receiving school  
13 district or a relative of the student can provide proof that he or  
14 she will be residing in the receiving school district within six (6)  
15 months.

16 SECTION 3. This act shall become effective November 1, 2013.

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